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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/614,161	07/11/2000	Michael D. Kotzin	CS10675	1611

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Motorola Inc  
Intellectual Property Dept PJB  
600 North US Highway 45 AN475  
Libertyville, IL 60048

EXAMINER

CONTEE, JOY KIMBERLY

ART UNIT	PAPER NUMBER
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2686

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/614,161	<b>Applicant(s)</b> KOTZIN	
	<b>Examiner</b> Joy K Contee	<b>Art Unit</b> 2686	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 April 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 30-32 and 37-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 30-32 and 37-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 2686

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 30-32 and 37-43 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 30-32, 37-38 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vannatta et al. (Vannatta), U. S. Patent No. 5,924,044, in view of Wiedeman et al. (Wiedeman), U.S. Patent No. 6,064,857.

Regarding claims 30,37-42, Vannatta discloses a cellular telephone comprising: a battery detachably connectable to the cellular telephone (i.e., module 106) to supply the cellular telephone with power (col. 3, lines 1-12); a remote power source (i.e., module 108) detachably connectable to the cellular telephone (i.e., module 106), wherein the cellular telephone is adapted to sense when the remote power source is coupled to the cellular telephone, the cellular telephone to alter a cellular telephone capability responsive to sensing the remote power source coupled to the cellular telephone (col. 4, lines 59-67 to col. 5, line 2 and 54-64).

Art Unit: 2686

Vannatta fails to explicitly disclose whereby the cellular telephone, which communicates data at the first data rate over an air interface independently of the remote power source, is capable of communicating at a higher data rate only while the remote power source is coupled (and interoperable digital circuitry to provide additional digital data processing support and cooperative data processing in a first and second processing circuitry in an external apparatus).

In a similar field of endeavor, Wiedeman discloses whereby the cellular telephone, which communicates data at the first data rate over an air interface independently of the remote power source, is capable of communicating at a higher data rate only while the remote power source is coupled (and interoperable digital circuitry to provide additional digital data processing support and cooperative data processing in a first and second processing circuitry in an external apparatus)(col. 1, lines 12-31 and lines 40-63 and col. 3, lines 1-63 and col. 4, line 31 to col. 5, lines 18 and col. 9, lines 18-27 and see Fig. 1B).

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify Vannatta to include a terminal with a power source including a battery, a high capacitor, and a switching circuit for selecting coupling of the power sources being coupled at least to the RF power amplifier for the purpose of allowing advantages of battery selectivity based which may provide higher operating currents.

Art Unit: 2686

Regarding claim 31, Vannatta also discloses the cellular telephone as in claim 30, wherein the battery is operational to deliver a first predetermined voltage level (e.g., 1.5 volts) to the cellular telephone (i.e., module 106), the remote power source (i.e., module 108) operational to deliver a second predetermined voltage level (i.e., VPA that is greater than regulated supply voltage V) to the cellular telephone, the second predetermined voltage level greater than the first predetermined voltage level (col. 3, lines 1-12 and col. 5, lines 3-15).

Regarding claim 32, Vannatta further discloses the cellular telephone as in claim 30, wherein the cellular telephone is configured to transmit at a higher average transmit power when the cellular telephone is coupled to the remote power source (col. 5, lines 50-64).

Art Unit: 2686

4. Claim 43 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vanatta and Wiedeman, in further view of Baker et al. ("Baker"), U.S. Patent No. 6,317,597.

Regarding claim 43, Vanatta and Wiedeman disclose the limitations of claim 41, but fail to explicitly disclose processing at least one of digital images and web content.

In a similar field of endeavor Baker provides evidence of the method, wherein said step of cooperative processing (i.e., the connection) comprises the first processing circuitry providing Internet protocol (i.e., for direct Internet access) information to the second digital processing circuitry, and the second processing circuitry processing at least one of digital images and web content (i.e., Internet download) (col. 10, lines 40-47).

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the combination of Vanatta and Wiedeman to include Internet access in the mobile phone since internet access is preferably obtained with higher data rates.

#### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joy K Contee whose telephone number is 571.272.7906. The examiner can normally be reached on Monday through Friday, 5:30 a.m. to 2:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 571.272.7905. The fax phone

Art Unit: 2686

number for the organization where this application or proceeding is assigned is  
571.273.8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JC   
**JOY K. CONTEE**  
**PATENT EXAMINER**

07/25/05